

REMARKS/ARGUMENTS

Claims 1-11 and 13-26 are pending in the application, as claim 12 was previously canceled. In the Office Action, claims 1-4, 7, 13, 16, and 18 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,269,088 to Masui et al. (Masui) in view of U.S. Patent No. 3,730,998 to Schmidt et al. (Schmidt). Claims 2 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Masui and Schmidt in view of U.S. Patent No. 5,778,073 to Busching et al. (Busching). Claims 11 and 19-26 were allowed, and claims 3, 5, 6, 8-10, 15 and 17 were objected to as being dependent upon rejected base claims.

Independent claim 1 recites the step of transmitting at least one distinguishable preamble waveform from a set of preamble waveforms based on an association with a call type and a receiver identifier. Independent claims 13 and 18 recite similar subject matter. Applicants respectfully disagree with the Examiner's assertion that the combination of Masui and Schmidt teaches all limitations of these claims, and disagree with the decision to combine these two references.

In particular, Masui discloses a CDMA system in which a reservation packet transmitted by a mobile station includes a preamble for synchronization acquisition (see col. 7, lines 15-17 and FIG. 5A), and one skilled in the art would appreciate that the preambles used by all the mobile stations are identical. Notably, all transmitting mobile stations apply the same pseudo-noise (PN) sequence to their reservation packets (see col. 2, lines 24-28; col. 6, lines 16-20; and col. 8, lines 43-44). In this arrangement, reservation packets transmitted by different mobile stations can be identified at the receiver if there is a timing deviation greater than one chip of the PN sequence (see col.2, line 65 – col. 3, line 6; and col. 6, lines 16-34). That is, the

preamble portions of multiple reservation packets in Masui are distinguishable based on a *difference in arrival time* of the packets but are not distinguishable based on a call type or a receiver identifier, as claimed in the present application.

As further evidence that the preambles used by all the mobile stations in Masui are identical, the reservation packet disclosed in FIG. 5A already includes a call type indicator (32a), a transmitter identifier (33), and a receiver identifier (34), and one skilled in the art would consider it unnecessary and redundant to make the preamble a function of or to include any of these elements. Moreover, because Masui does not even teach the generation of a set of distinguishable preamble waveforms, it would not be possible in Masui to assign different preambles based on these or any other elements.

Furthermore, one skilled in the art would not view the combination of Masui and Schmidt as obvious, and Masui actually teaches away from such a combination. Schmidt teaches a TDMA satellite system in which the preamble transmitted by each station contains a bit field that indicates a station ID (see FIG. 2, element 8), and therefore, a set of distinguishable preamble waveforms (see FIG. 2, element 206) can be formed. In contrast, as described above, Masui relies on identical preambles, and incorporating elements like the bits for the station ID in Schmidt into the preamble of Masui would generate unnecessary overhead. Also, the use of a single preamble with the same PN sequence for all reservation packets in Masui has the advantage of limiting the number of PN sequences used for overhead tasks, such as synchronization acquisition. One skilled in the art will appreciate this benefit, which teaches against the extension of Masui to a multiple preamble arrangement.

In view of the above, Applicants submit that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: February 14, 2008

SEND CORRESPONDENCE TO:

Motorola, Inc.
1303 East Algonquin Road
IL01/3RD
Schaumburg, IL 60196

Customer Number: 24273

By: /Larry G. Brown/
Larry G. Brown

Attorney of Record
Reg. No.: 45,834

Tel: 954-723-4295 direct line
Tel: 954-723-6449 main line
Fax No.: (847) 576-3750